

# WILLS LAW FIRM

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## FACSIMILE TRANSMITTAL PAGE

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Date: January 22, 2010

To: Broadus A. Spivey

Fax No.: (512) 474-1605

To: Geoffrey H. Bracken

Fax No.: (713) 276-5555

Laura Goodson

Merritt B. Chastain

To: Edward D. Burbach

Fax No.: (512) 542-7270

Re: Civil Action No.: 1:09-cv-00799-LY; *Joshua Willis, et al., on behalf of themselves and all others similarly situated, v. Perry Homes LLC, et al.*; In the United States District Court for the Western District of Texas, Austin Division ("*Willis Case*")

Pages: 13 (INCLUDING TRANSMITTAL PAGE)

From: Vanisia M. Colbert

**Message:**

Attached please find Plaintiffs' Objections to Requests for Production of Documents and Subpoena Duces Tecum to Joshua Willis and Robert Thompson regarding the above-styled case.

Thank you,

+++++CONFIDENTIALITY NOTICE+++++

The information in this facsimile may be confidential and/or privileged. This facsimile is intended to be reviewed by only the individual or organization named above. If you are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any review, dissemination or copying of this facsimile and its attachments, if any, or the information contained herein is prohibited. If you have received this email in error, please immediately notify the sender and destroy any copies of this facsimile.

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DEFENDANT'S  
EXHIBIT

2

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 Email: [rwills@rwillslawfirm.com](mailto:rwills@rwillslawfirm.com)  
 Attorneys for Plaintiffs

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served on the following counsel of record on **January 22, 2010** by hand-delivery and/or U.S. Mail, and facsimile (courtesy copy):

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 o: 713+948-7841  
 f: 713+331-8046

/s/ Rhonda H. Wills  
 Rhonda H. Wills

### OBJECTIONS TO ALL REQUESTS FOR PRODUCTION OF DOCUMENTS & SUBPOENA DUCES TECUM

Request No. 1: Copies of any documents provided by PH to you prior to November 3, 2009.

#### Response:

(1) Plaintiffs object that this request on the grounds that it is beyond the discovery permitted by the Court at this time. It further violates the Court's order staying discovery.

(2) Plaintiffs further object to this request on the grounds that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) physician-patient privilege; (e) the joint defense privilege, (f) community of

interest privilege; (g) common interest privilege; and/or (l) any other privilege.

(3) Plaintiff further objects that this request fails to comply with and violates FED. R. CIV. P. 34

(4) Plaintiffs further object to the request on the grounds that it seeks documents containing information of a confidential, private, personally sensitive, and/or proprietary nature.

(5) Plaintiffs further object to the request on the grounds that it is overly broad, vague, ambiguous and unduly burdensome and not limited in time or scope.

(6) Plaintiff further objects that the it requests information that is irrelevant, and that the request is harassing, not reasonably calculated to lead to the discovery of admissible evidence.

(7) Plaintiff further objects that these documents are readily available to Defendants and in Defendants' possession. Moreover, such documents are already in the constructive possession of Defendants and would be equally obtainable and accessible to Defendants.

Request No. 2: Copies of any documents evidencing or reflecting any communications, be they written or oral, between you, any of the Plaintiffs in this lawsuit, or any other current or former employees of PH.

Response:

(1) Plaintiffs object that this request on the grounds that it is beyond the discovery permitted by the Court at this time. It further violates the Court's order staying discovery.

(2) Plaintiffs further object to this request on the grounds that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege; (d) physician-patient privilege; (e) the joint defense privilege; (f) community of interest privilege; (g) common interest privilege; and/or (f) any other privilege.

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Request No. 3: Originals and copies of all diaries, calendars, journals, appointment books, and other similar documents generated by you during your employment with PH.

Response:

- (1) Plaintiffs object that this request on the grounds that it is beyond the discovery permitted by the Court at this time. It further violates the Court's order staying discovery.
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Request No. 4: Copies of all documents evidencing or reflecting meetings with sales professionals, homeowners, or any other individuals pertaining to the construction or repair of any home built by PII.

Response:

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Request No. 5: True and correct copies of any punch lists, inspection forms, or other similar documents created and/or maintained by you during your employment with PH.

Response:

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